

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GEORGE ROWE,

Plaintiff,

vs.

1:04-CV-1283

JAGDAMBA, INC.,

Defendant.

APPEARANCES:

OF COUNSEL:

KEITH SCHOCKMEL, ESQ.
Attorney for Plaintiff
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Attorneys for Defendant
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LUCAS G. MIHUTA, ESQ.
CLAY LODOVICE, ESQ.

DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court entered into the record after hearing oral argument on June 27, 2007, in Utica and Albany, New York, it is hereby

ORDERED that

1. Defendant Jagdamba, Inc.'s motion for summary judgment is GRANTED except that its request for an award of attorney's fees is DENIED;

2. The Title VII claim is DISMISSED;

3. The negligence and gross negligence claims are DISMISSED without prejudice;

and

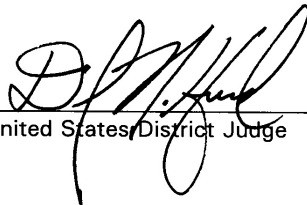
4. The complaint is DISMISSED in its entirety.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: June 27, 2007

Utica, New York.


United States District Judge